

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 284 - HB 407

February 10, 2013

SUMMARY OF BILL: Adds, in counties having established a department of technology or information technology, the department director, or their designee, to the county public records commission. Authorizes the appointment of a designee to serve for the judge serving on the commission.

ESTIMATED FISCAL IMPACT:

Increase Local Expenditures – Exceeds \$1,000*

Assumptions:

- Pursuant to Tenn. Code Ann. § 10-7-401, all counties are required to create a public records commission.
- Pursuant to Tenn. Code Ann. § 10-7-402, members of the commission serve without compensation, unless the member does not currently receive a fixed annual salary from the state or the county, in which case a per diem of \$25.00 is paid to the member for each day of actual meeting.
- Members of the commission may also be reimbursed for actual necessary expenses incurred in the performance of their duties for the commission.
- The commission is statutorily required to meet no less than twice annually.
- It is unknown how many counties have established a department of technology or information technology; however, as a current county employee the director would not receive compensation for serving.
- If a designee is appointed to serve for the department director or judge who does not currently receive a fixed annual salary from the county, the county would be required to compensate the designee \$25.00 per day of actual meeting.
- Due to multiple unknown factors, including but not limited to, how many counties have established a department of technology or information technology, how many appointed members or designees will be paid per diem, and how many times each commission will meet annually, a precise fiscal impact to local governments cannot be determined; however, the recurring increase in local government expenditures is reasonably estimated to exceed \$1,000 statewide.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/jrh